

ORIGINAL

Received Copyright Royalty Tribunal
Date:

MAR 13 1991

Before the
COPYRIGHT ROYALTY TRIBUNAL
Washington, D.C.

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In the Matter of :

1989 SATELLITE CARRIER : Docket No. 91-1-89SCD
ROYALTY DISTRIBUTION PROCEEDING

:
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MOTION FOR ACCEPTANCE OF
LATE-FILED PLEADING

1. The American Society of Composers, Authors and Publishers ("ASCAP"), for good cause shown, and in accordance with the Tribunal's rules, 37 C.F.R. §301.42(a) hereby requests that the Tribunal accept its Reply Comments in this matter, as follows:

2. Reply Comments were due on Monday, March 11, 1991. 56 Fed. Reg. 2,757 (1991).

3. As shown by the attached affidavit of I. Fred Koenigsberg, ASCAP's counsel, ASCAP's Reply Comments were forwarded to the Tribunal on Friday, March 8, 1991, via Federal Express, for overnight delivery to the Tribunal on Monday, March 11, 1991. The Federal Express receipt for that delivery, showing that the documents were so entrusted to Federal Express, is attached to Mr. Koenigsberg's affidavit.

3. For some reason as yet undetermined, Federal Express did not deliver the Reply Comments to the Tribunal

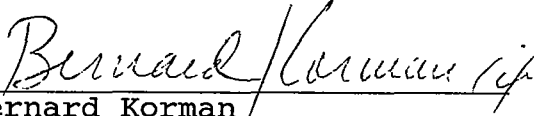
on Monday, March 11, 1991, despite ASCAP's best efforts to accomplish such delivery, and for reasons wholly beyond ASCAP's control.

4. Acceptance of ASCAP's Reply Comments at this time will not prejudice any party, as the Tribunal has not provided for further reply comments, and no time period is running for any further action by any party in this matter. (ASCAP has already made service of its Reply Comments on all parties by regular first-class mail.)

5. Accordingly, ASCAP respectfully requests that the Tribunal accept its Reply Comments (a copy of which is attached hereto) as a late-filed pleading, for good cause shown.

Respectfully submitted

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS


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Of counsel: Bennett M. Lincoff

A handwritten signature in dark ink, appearing to read "I. Fred Koenigsberg", is written over a horizontal line.

I. Fred Koenigsberg
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Dated: March 12, 1991